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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE THOMAS J. WHELAN)

UNITED STATES OF AMERICA, Plaintiff, v. TOMAS SANTILLANES-LOPEZ, Defendant.	Case No.: 07cr3108-W Date: April 1, 2008 Time: 2:00 p.m. DECLARATION OF TOMAS SANTILLANES-LOPEZ IN SUPPORT OF MOTIONS TO SUPPRESS

I, Tomas Santillanes-Lopez, declare under penalty of perjury:

1. I am the defendant in the above-captioned case and make this declaration in support of a motion filed by my attorney.

2. At some time around 7:00 a.m., on November 4, 2007, I arrived at the Calexico Port of Entry.

3. I was sent to secondary inspection by primary inspectors.

4. At secondary inspection I was removed from the vehicle.

5. Thereafter, I was taken to a security office, and later placed me in a holding cell at the port where I was kept, alone for several hours until I was taken for questioning.

6. Several agents later interrogated me about the car and the cocaine they claimed to have found and other topics. I was trying to be cooperative and did not understand the legal ramifications of answering their questions or what my constitutional rights were.

7. The warnings I received were confusing, in particular the waiver provision because it told me I waived all my rights, including the right to stop answering questions.

8. During the questioning by the agents, I made statements explaining how I came to be the driver of the vehicle at the port of entry.

9. I felt pressured to speak with the agents.

10. This declaration has been read to me in Spanish and I adopt it as my own statement.

I swear that, to the best of my knowledge and memory, the foregoing is true and correct.

Dated: 3/28/08

Tomas Santillanes-Lopez